

agreements, records, or contracts entered into have the same legal effect and recognition as paper transactions. Both of these objectives are complemented with provisions to ensure that consumers receive the same level of legal protection regardless of whether they conduct their transactions on paper or on line. For example, consumers must affirmatively consent electronically to receiving electronic records in a manner that reasonably demonstrates that they can access the information provided. In addition, the legislation provides that certain notices must be provided in paper, such as notices critical for the protection of consumers and public health and safety, notices of cancellation of all forms of insurance and insurance benefits, notices of default or actions to collect debts, and others.

When this legislation was initially debated on the House floor last year, I expressed concerns about its impact on existing consumer and fair lending laws and regulations. My concern centered on the potential for consumers to receive one level of protection for in-person, paper transactions, and another for on-line transactions. I was also concerned about the potential for unscrupulous and predatory practices. As a result, Banking Committee Chairman Leach and I, at my behest, wrote to the Federal Reserve to elicit their views on the legislation. The Federal Reserve, which administers consumer financial services and fair lending laws, shared my concerns and agreed that preserving its regulatory authority was essential to protecting consumers under existing consumer laws. I am happy to note that the conference report preserves this important regulatory authority, which has the dual benefit of protecting consumers from predatory practices, and providing the legal clarity that spares businesses from unnecessary litigation.

Mr. Speaker, as electronic commerce continues its rapid expansion, I fully support an approach that facilitates this growth while also protecting the rights of consumers. This conference report accomplishes both of these important goals. As our economy moves into the Electronic Age, this legislation will provide American consumers with the basic protections that they have come to know and expect from their financial service providers and from commerce in general.

Mr. WELLER. Mr. Speaker, thank you for this opportunity to support S. 761, the Conference Report on the Electronic Signatures in Global and National Commerce Act. This effort is groundbreaking, as this conference report is largest and most significant legislation on electronic commerce to date.

This bill ensures that electronic signatures and electronic records transferred via the Internet will have the same legal effect, validity or enforceability as contracts and other records signed by hand on paper. The scope of this legislation is broad and will protect interstate commerce. I am certain that the result of this important legislation will be greater confidence and security in conducting business and transactions over the Internet.

In the recent months, we have come far in our efforts to promote and encourage the growth of Internet use and e-commerce. A few weeks ago, the House voted to extend the existing moratorium on Internet taxation for an additional 5 years. I believe that this important

step will give the new e-economy the time it needs to grow and flourish at a time when the number of new websites and Internet users is doubling every 100 days!

Additionally, the House passed legislation recently to eliminate the outdated 3 percent excise tax on telephone use. This tax was originally collected to help pay the Spanish-American War, a war that ended more than 100 years ago! Today, more than 90% of Internet users access the Web over telephone lines. I believe it is time to repeal this outdated tax and make the information highway just that—a freeway not a tollway.

Mr. Speaker, I am proud to support the Conference Report on S. 761. I encourage my colleagues to do the same.

Mr. CONYERS. Mr. Speaker, the Internet has the potential to be the most pro-consumer development in recent history. It can empower consumers to obtain more useful information about products—such as price comparisons, safety information, and features—and to help consumers make more educated purchases.

But the Internet will never reach its full potential if consumers do not feel secure in the electronic marketplace. If we allow the Internet to become a lawless “Wild Wild West” and a safe-haven for fraudulent businesses, people will simply refuse to engage in on-line commerce. Ultimately, this is a bad result both for the Internet and for consumers.

The electronic signature legislation that the House passed last fall was deeply flawed. It set up a false choice between consumer protection and electronic commerce. In fact, the two can—and should—go hand in hand.

While I supported legislation that validated electronic signatures and contracts, I opposed H.R. 1714 because it left consumers vulnerable to fraud, and it undermined numerous federal and state consumer protection laws.

H.R. 1714 also weakened the ability of federal and state regulators to enforce important safety regulations and monitor industries such as the financial services industry, and the insurance industry.

As a result of the hard work of House and Senate Democrats and the Administration, the Conference Report that is before us today is a great improvement over the House-passed bill.

The Conference Report contains several new provisions to protect consumers. Unlike the House bill, the Conference Report requires that consumers receive a notice of their rights before they consent to receive documents electronically. Now, there will truly be “informed consent” by the consumer.

Equally important, under the Conference Report, the consumer's consent must be in the electronic form that will be used to provide the information. This is a vast improvement over the original bill because it ensures that a consumer can actually receive and open the electronic notices that are provided to him or her.

The Conference Report also creates a framework so that federal regulatory agencies can use their rulemaking authority to create guidelines for how to properly deliver and manage electronic records. This way, the government has the flexibility and authority to prevent abuses and fraud.

Some Senate Republicans oppose this Conference Report. They say it gives consumers

too many rights and does not do enough to grease the wheels for the financial services industry. I could not disagree more.

The Conference Report demonstrates that Congress can facilitate electronic commerce at the same time that we protect consumers. I am confident that this is what is best for the Internet in the long run.

Mr. BLILEY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. BLILEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1230

RECESS

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 30 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1531

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 3 o'clock and 31 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

CONFERENCE REPORT ON S. 761, ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT

The SPEAKER pro tempore. The pending business is the question of agreeing to the conference report on the Senate bill, S. 761, on which the yeas and nays are ordered.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the conference report.

The vote was taken by electronic device, and there were—yeas 426, nays 4, not voting 4, as follows:

[Roll No. 271]
YEAS—426

Abercrombie	DeLauro	Istook
Ackerman	DeLay	Jackson (IL)
Aderholt	DeMint	Jackson-Lee
Allen	Deutsch	(TX)
Andrews	Diaz-Balart	Jefferson
Archer	Dickey	Jenkins
Armey	Dicks	John
Baca	Dingell	Johnson (CT)
Bachus	Dixon	Johnson, E. B.
Baird	Doggett	Johnson, Sam
Baker	Dooley	Jones (NC)
Baldacci	Doolittle	Jones (OH)
Baldwin	Doyle	Kanjorski
Ballenger	Dreier	Kaptur
Barcia	Duncan	Kasich
Barr	Dunn	Kelly
Barrett (NE)	Edwards	Kennedy
Barrett (WI)	Ehlers	Kildee
Bartlett	Ehrlich	Kilpatrick
Barton	Emerson	Kind (WI)
Bass	Engel	King (NY)
Bateman	English	Kingston
Becerra	Eshoo	Klecza
Bentsen	Etheridge	Klink
Bereuter	Evans	Knollenberg
Berkley	Everett	Kolbe
Berman	Ewing	Kucinich
Berry	Farr	Kuykendall
Biggert	Fattah	LaFalce
Bilbray	Filner	LaHood
Bilirakis	Fletcher	Lampson
Bishop	Foley	Lantos
Blagojevich	Forbes	Largent
Bliley	Ford	Larson
Blumenauer	Fossella	Latham
Blunt	Fowler	LaTourette
Boehlert	Frank (MA)	Lazio
Boehner	Franks (NJ)	Leach
Bonilla	Frelinghuysen	Lee
Bonior	Frost	Levin
Bono	Gallegly	Lewis (CA)
Borski	Ganske	Lewis (GA)
Boswell	Gejdenson	Lewis (KY)
Boucher	Gekas	Linder
Boyd	Gephardt	Lipinski
Brady (PA)	Gibbons	LoBiondo
Brady (TX)	Gilchrest	Lofgren
Brown (FL)	Gillmor	Lowey
Brown (OH)	Gilman	Lucas (KY)
Bryant	Gonzalez	Lucas (OK)
Burr	Goode	Luther
Burton	Goodlatte	Maloney (CT)
Buyer	Goodling	Maloney (NY)
Callahan	Gordon	Manzullo
Calvert	Goss	Markey
Camp	Graham	Martinez
Campbell	Granger	Mascara
Canady	Green (TX)	Matsui
Cannon	Green (WI)	McCarthy (MO)
Capps	Greenwood	McCarthy (NY)
Capuano	Gutierrez	McCollum
Cardin	Gutknecht	McCrery
Carson	Hall (OH)	McDermott
Castle	Hall (TX)	McGovern
Chabot	Hansen	McHugh
Chambliss	Hastings (FL)	McInnis
Clay	Hastings (WA)	McIntosh
Clayton	Hayes	McIntyre
Clement	Hayworth	McKeon
Clyburn	Hefley	McKinney
Coble	Herger	McNulty
Coburn	Hill (IN)	Meehan
Collins	Hill (MT)	Meek (FL)
Combest	Hilleary	Meeks (NY)
Condit	Hilliard	Menendez
Conyers	Hinchey	Metcalfe
Cooksey	Hinojosa	Mica
Costello	Hobson	Millender-
Cox	Hoefel	McDonald
Coyne	Hoekstra	Miller (FL)
Cramer	Holden	Miller, Gary
Crane	Holt	Miller, George
Crowley	Hoolley	Minge
Cubin	Horn	Mink
Cummings	Hostettler	Moakley
Cunningham	Houghton	Mollohan
Davis (FL)	Hoyer	Moore
Davis (IL)	Hulshof	Moran (KS)
Davis (VA)	Hunter	Moran (VA)
Deal	Hutchinson	Morella
DeFazio	Hyde	Murtha
DeGette	Inslee	Myrick
Delahunt	Isakson	Nadler

Napolitano	Rothman	Talent
Neal	Roukema	Tancredio
Nethercatt	Roybal-Allard	Tanner
Ney	Royce	Tauscher
Northup	Rush	Tauzin
Norwood	Ryan (WI)	Taylor (NC)
Nussle	Ryun (KS)	Terry
Oberstar	Sabo	Thomas
Obey	Salmon	Thompson (CA)
Oliver	Sanchez	Thompson (MS)
Ortiz	Sanders	Thornberry
Ose	Sandlin	Thune
Owens	Sanford	Thurman
Oxley	Sawyer	Tiahrt
Packard	Saxton	Tierney
Pallone	Scarborough	Toomey
Pascarella	Schaffer	Towns
Pastor	Schakowsky	Trafigant
Payne	Scott	Turner
Pease	Serrano	Udall (CO)
Pelosi	Sessions	Udall (NM)
Peterson (MN)	Shadegg	Upton
Peterson (PA)	Shaw	Velazquez
Petri	Shays	Visclosky
Phelps	Sherman	Vitter
Pickering	Sherwood	Walden
Pickett	Shimkus	Walsh
Pitts	Shows	Wamp
Pombo	Shuster	Waters
Pomeroy	Simpson	Watkins
Porter	Sisisky	Watt (NC)
Portman	Skeen	Watts (OK)
Price (NC)	Skelton	Waxman
Price (OH)	Slaughter	Weiner
Quinn	Smith (MI)	Weldon (FL)
Radanovich	Smith (NJ)	Weldon (PA)
Rahall	Smith (TX)	Weller
Ramstad	Smith (WA)	Wexler
Rangel	Snyder	Weygand
Regula	Souder	Whitfield
Reyes	Spence	Wicker
Reynolds	Spratt	Wilson
Riley	Stabenow	Wise
Rivers	Stark	Wolf
Rodriguez	Stearns	Woolsey
Roemer	Stenholm	Wu
Rogan	Strickland	Wynn
Rogers	Stupak	Young (AK)
Rohrabacher	Sununu	Young (FL)
Ros-Lehtinen	Sweeney	

NAYS—4

Chenoweth-Hage	Stump
Paul	Taylor (MS)

NOT VOTING—4

Cook	Sensenbrenner
Danner	Vento

□ 1553

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT REGARDING PLANS TO ATTEND "TO KILL A MOCKINGBIRD" AT KENNEDY CENTER

(Mr. CALLAHAN asked and was given permission to address the House for 1 minute.)

Mr. CALLAHAN. Mr. Speaker, many of my colleagues are interested tonight in attending the performance of "To Kill a Mocking Bird" at the Kennedy Center, and we are trying desperately to work out arrangements with the leadership to roll the votes. If votes are rolled, there will be three buses waiting at the foot of the Capitol steps between 6:30 p.m. and 7:00 p.m. to take my colleagues to the Kennedy Center and then bring them back after the performance.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 518 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4577.

□ 1556

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Tuesday, June 13, 2000, the bill had been read through page 84, line 21.

Mr. PORTER. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from New York (Mr. QUINN).

Mr. Chairman, I yield to the gentleman from New York (Mr. QUINN) for an explanation of his concerns.

Mr. QUINN. Mr. Chairman, I want to begin by thanking the gentleman from Illinois (Mr. PORTER) for the fine job and the hard work he has done, not only for the job he has done this year in a very difficult year, but over the years for our Labor-HHS bill.

□ 1600

Mr. Chairman, as a former teacher, funding for elementary and secondary education programs is a top priority for me as well as many other Members here in the House. I have several concerns regarding education funding levels in this bill. I am particularly concerned that the title I education programs have been level funded at fiscal year 2000 levels. These title I programs are vital for school districts like the Buffalo area and many more. Title I educational assistance programs target low-income and disadvantaged areas providing accelerated instruction, smaller classes, extra time to learn after school and during the summer, and computer-based instruction. Buffalo receives approximately \$23 million a year in title I funding alone.

As my colleague can see, this is critical for many districts. I have been working closely with our colleague, the gentleman from New York (Mr. MCHUGH), to ensure full funding for this program.

Secondly, Mr. Chairman, I also want to talk with the gentleman for a moment about other programs we have